

Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEVELOPERS SURETY AND INDEMNITY
COMPANY,

Plaintiff,

vs.

ADAMS RESIDENTIAL CONTRACTING,
INC.,

Defendant.

No. 2:20-cv-00912-BJR

**DECLARATION OF PAUL SMITH IN
SUPPORT OF PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT**

**NOTED FOR HEARING:
FRIDAY, SEPTEMBER 18, 2020**

I, Paul Smith, hereby declare the following:

1. I am over eighteen years of age and competent to make this declaration of my own personal knowledge. I am one of the attorneys for plaintiff Developers Surety and Indemnity Company.

2. Attached as **Exhibit 1** is a true and accurate copy of the complaint filed in *City of Seattle v. Adams Residential Contracting, Inc. and McDowell Northwest Pile King, Inc.*, King County Superior Court cause number 19-2-21001-0 SEA, filed on August 9, 2019.

3. Attached as **Exhibit 2** is a true and accurate copy of a Certificate of Liability Insurance, with attached endorsement, produced by defendant with its initial disclosures and Bates stamped Foreman Sturm000001-7.

1 I declare under penalty of perjury under the laws of the United States and the State of
2 Washington that the foregoing is true and correct.

3 Signed and dated this 27th day of August, 2020 at Seattle, Washington.

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5 *s/ Paul S. Smith*
6 Paul S. Smith
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CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing DECLARATION OF PAUL S. SMITH WITH EXHIBITS on the following individual via the Court's ECF system which will give notice to:

Ms. Linda L. Foreman
Foreman Sturm & Thede, LLP
5825 60th St. S.E.
Snohomish, WA 98290-5104
Email: linda@foremansturm.com

SIGNED this 27th day of August, 2020 at Everett, Washington.

s/ Denise Mary Pope
Denise Mary Pope